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File No. JB0976 Q US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Daniel T. Mytych, *et al.*

Serial No.: 09/643,458

Group Art Unit: 1648

Filed: August 22, 2000

Examiner: TBA

For: METHODS AND REAGENTS FOR
THE DETECTION OF ANTIBODIES
TO ADENOVIRUS

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OFFICE OF PETITIONS

**PETITION UNDER 37 C.F.R. §1.181 TO WITHDRAW HOLDING OF
ABANDONMENT**

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

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JAN 28 2003
TECH CENTER 1600/2900

Sir:

Applicants request withdrawal of the holding of abandonment as expressed in the Notice of Abandonment mailed September 9, 2002 in the above-referenced case (copy enclosed). The Notice of Abandonment states the Application is abandoned for failure to timely reply to the Notice to File Missing Parts mailed February 22, 2002.

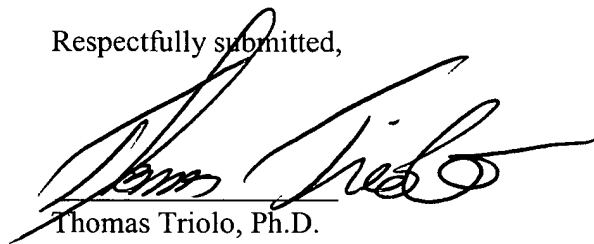
Applicants submit that a response to the Notice to File Missing Parts was timely filed, within the two month period for reply, on April 22, 2002. In support of this point, enclosed is a copy of all papers (and the diskette) filed on April 22, 2002 in connection with this matter. The enclosures also include the transmittal form which was filed bearing a Certificate of Mailing, executed by the undersigned, certifying that the papers were deposited with the U.S. Postal Service on April 22, 2002.

Applicants respectfully request withdrawal of the holding of abandonment in the present case and prompt examination of the Application on its merits.

Respectfully submitted,

Date:

Sept. 30, 2002

A handwritten signature in black ink, appearing to read "Thomas Triolo", written over a horizontal line.

Thomas Triolo, Ph.D.
Registration No. 48,001
Agent for Applicant(s)

Schering-Plough Corporation
Patent Department; K-6-1, 1990
2000 Galloping Hill Road
Kenilworth, NJ 07033
908-298-2347

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/643,458	08/22/2000	Daniel T. Mytych	JB0976Q

24265
SCHERING-PLOUGH CORPORATION
PATENT DEPARTMENT (K-6-1, 1990)
2000 GALLOPING HILL ROAD
KENILWORTH, NJ 07033-0530

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CONFIRMATION NO. 9578

ABANDONMENT/TERMINATION
LETTER



OC00000008748661

Date Mailed: 09/09/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/22/2002.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PATENT DEPARTMENT RECEIVED	
SEP 16 2002	
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